

OVERVIEW

The assigned foster care caseworker is responsible for informing the Michigan Department of Health and Human Services (MDHHS) Adoption and Guardianship Assistance Office (AGAO) of the appointment of the guardian(s) immediately after the court signs the guardianship order.

CASE OPENING

Guardianship Assistance and Medical Subsidy

Guardianship assistance, nonrecurring expenses and medical subsidy is opened when all of the following are completed:

- The assigned foster care caseworker has completed the DHS-1344G, Guardianship Assistance Case Opening Request. The DHS-1344G must be signed by the guardian(s). It is required to initiate the guardianship assistance payment and to determine the appropriate funding sources for the guardianship assistance (Title IV-E or state funds).
- The assigned foster care caseworker has submitted a copy of the court's signed appointment of guardianship.
- The foster care payment has been closed.

Note: If the guardianship is appointed for the child prior to the DHS-3313, Juvenile Guardianship Assistance Agreement, receiving the required final signatures the child will be ineligible to receive guardianship assistance funds through the AGAO.

GUARDIANSHIP ASSISTANCE DURATION

Guardianship assistance eligibility must exist until one of the following conditions occurs:

- The child becomes 18 years of age.
- The child has not yet reached their 18th birthday, but is emancipated by any of the following:
 - Court order.

- Marriage.
- Entering the military service.
- The child dies.
- The child is adopted.
- The guardianship is revoked or terminated.
- The guardian(s) has requested in writing the guardianship assistance payment permanently stop.
- A determination of ineligibility is made by MDHHS.

One or more of the following are reasons for a determination of ineligibility:

- The guardian(s) is no longer legally responsible for the support of the child.
- The guardian(s) is no longer providing support for the child.
- The guardian(s) dies. If a successor guardian(s) is appointed due to death or incapacitation of the prior guardian(s); see [GDM 750, Successor Guardian](#).

Reporting Changes

The guardian(s) or guardian's representative, in the event of the guardian's death must notify the AGAO in writing within 14 calendar days after any of the above changes occur. Recoupment procedures will be followed for changes not reported timely.

Notice of Agreement Termination

The guardian(s) must be notified of guardianship assistance agreement termination due to one or more of the above conditions by a DHS-4103-G, Guardianship Assistance Case Closure/Overpayment Notice. A copy of this form must also be sent to the court with jurisdiction over the juvenile guardianship.

**MEDICAL SUBSIDY
DURATION**

Medical subsidy eligibility must exist until one of the following conditions occurs:

- The child becomes 18 years of age.
- The child has not yet reached their 18th birthday, but is emancipated by any of the following:
 - Court order.
 - Marriage.
 - Entering the military service.
- The child dies.
- The child is adopted; see [GDM 715, Juvenile Guardianship Assistance Eligibility](#).
- The guardianship is revoked or terminated.
- The guardian(s) has requested in writing that the guardianship medical subsidy to permanently stop.
- The guardian(s) is no longer legally responsible for the support of the child.
- The guardian(s) is no longer providing support for the child.
- The guardian(s) dies. If a successor guardian(s) is appointed due to death or incapacitation of the prior guardian(s); see [GDM 750, Successor Guardian](#).
- A determination of ineligibility is made by the AGAO based on one or more of the following:
 - The guardian receives a Family Support Subsidy for the child from the Michigan Department of Community Health.
 - The child is removed from their home as a temporary court ward due to delinquency or due to a child protective proceeding (MCL 712A.2(a) or 2(b)).

**Reporting
Changes**

The guardian must notify the AGAO in writing within 14 calendar days after any of the above changes occur. Recoupment procedures will be followed for overpayments.

**Notice of
Agreement
Termination**

The guardian(s) must be notified of the medical subsidy agreement termination due to one or more of the above conditions by a DHS-4103-G, from the AGAO. Recoupment of excess payments will be initiated if necessary.

**CHILD MADE A
TEMPORARY
COURT WARD****Guardianship
Assistance**

If a child is removed from their home due to delinquency as a temporary court ward under MCL 712A.2(a) or a child protective proceeding under MCL 712A.2(b), the guardianship assistance payment must be continued unless the guardian(s) is no longer providing any support for the child.

Support includes various forms of financial support such as payments for therapy, tuition, clothing, maintenance of special equipment in the home, or services for the child's special needs.

If the state determines the guardian(s) is providing some form of financial support to the child, the state may continue the guardianship assistance payment after renegotiation of the ongoing monthly guardianship assistance payment and signatures by the guardian(s) and the adoption and guardianship assistance program manager or MDHHS designee on the renegotiated agreement.

**Child Removed
and Placed
Outside the Home
as a Temporary
Court Ward**

MCL 712A.18(2) requires a court to order a guardian(s) to reimburse the costs of care or service when a child is placed outside of their home.

**Child Placed in
Own Home as a
Temporary Court
Ward**

MCL 712A.18(3) permits the court to order a guardian(s) to reimburse the costs of care or service when a child is placed in their own home.

Medical Subsidy

Medical subsidy will be closed during the period when a child is removed from the home as a temporary court ward due to delinquency or due to a child protective proceeding. The medical subsidy may be reopened upon the child's return to the home.

**Adoption by the
Guardian**

If the guardian(s) is receiving guardianship assistance and subsequently applies to adopt the child, a DHS-1341, Adoption Support Subsidy/Nonrecurring Adoption Expenses Application must be submitted to the AGAO prior to the finalization of the adoption.

If the child is determined eligible as a special needs child, an adoption assistance agreement must be signed by the adoptive parent(s) and the adoption and guardianship assistance program manager or MDHHS designee prior to the finalization of the adoption.

If the child was eligible for title IV-E adoption support subsidy prior to the guardianship, the title IV-E funding eligibility will be available for the adoption.

POLICY CONTACT

Questions about this policy item may be directed to [the Child Welfare Policy Mailbox \(Child-Welfare-Policy@michigan.gov\)](mailto:Child-Welfare-Policy@michigan.gov).